

2025:PHHC:156173



RFA No.2335 of 2000 (O&M) with other connected cases

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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1.

RFA No.2335 of 2000 (O&M)

Date of Decision: 12.11.2025

LAXMI AND OTHERS

.....Appellants

Vs

STATE OF HARYANA

...Respondent(s)

2.

RFA No.1067 of 2001 (O&M)

RAM KISHAN AND ANR.

.....Appellants

Vs

STATE OF HARYANA

...Respondent(s)

3.

RFA No.1068 of 2001 (O&M)

ANAND PARKASH AND ORS.

....Appellants

Vs

STATE OF HARYANA

...Respondent(s)

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Sudhir Aggarwal, Advocate
for the appellants/landowners.

Mr. Abhinash Jain, D.A.G., Haryana.

HARKESH MANUJA, J. (Oral)

[1]. Vide this common order, the aforementioned appeals are being decided as the same have arisen out of common acquisition/Award involving identical facts and question of law. For the sake of brevity, facts are being taken from RFA No.2335 of 2000.

[2]. By way of present appeal(s), challenge has been laid to the Award dated 06.04.1999 passed by the learned Addl. District Judge, Gurgaon (now Gurugram) (hereinafter to be referred as the 'Reference Court'), whereby Reference Petition filed under Section 18 of the Land Acquisition Act, 1894 (for



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short 'the 1894 Act') at the instance of the landowners was dismissed. Paragraph Nos.5 to 7 being relevant are extracted hereunder:-

"5. It is pertinent to mention here that all the above titled references initially were consolidated with L.A. Case no. 234 of 1996 titled as Balbir Singh Vs. State by my Ld. predecessor Vide order dated 6.5.98 and resultantly consolidated issues were also framed in the said case which are as under:-

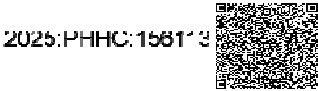
- 1. What was the market value of the acquired land at the time of notification. under sec. 4 of the L.A. Act? OPP*
- 2. Relief*

However, on 1.4.99, it was pointed out that all the above titled references do not belong to the same notification and award as of the said L.A. case no. 234/96 titled as Balbir Singh Vs. State. Therefore, after going through the files, it was found that the above titled references were not of the same notification and award as of the aforesaid case. Therefore, all the above titled cases were deconsolidated from the said L.A. case no. 234/96 and were reconsolidated with main L.A. case no. 91 of 1996 titled as Ram Kishan etc. Vs. State. It is further pertinent to mention here that on 24.3.99, (when the above titled references were consolidated with L.A. Case No.234/96 titled as Balbir Singh Vs. State from which these were doconsolidated as discussed above, the evidence of the petitioners in the present cases was closed by court order because the petitioners did not lead any evidence despite availing number of opportunities including of last one and the case was fixed for respondent's evidence for 1.4.99 on which date, Ld. G.P. also closed evidence on behalf of the respondent -state.

6. I have gone through pleadings, issues and record available on file and have Ld. Counsel for the petitioners as well as Ld. G.P. for the State. My findings on issues framed in L.A. case no. 234/96 titled as Balbir Singh Vs. State are as under :-

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7. As discussed above, since there is no evidence on behalf of the petitioners regarding market value of the acquired land as such. I have no other option but to hold that market value of the acquired land was the same



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as was awarded by the Land Acquisition Collector on the date of notification under Sec. 4 of the Act.”

[3]. Having heard learned counsel for the parties and upon perusal of the record, it is apparent that the appellants-landowners were never afforded sufficient opportunity to prove their claim towards grant of just, fair and equitable market value against compulsory acquisition of their land.

[4]. In such circumstances, the impugned Award dated 06.04.1999 passed by the learned Reference Court is hereby set aside and both the parties are directed to appear in-person or through their counsel before the learned Reference Court-cum-Addl. District Judge, Gurugram on 28.11.2025. Learned Reference Court is requested to decide the reference afresh after affording three effective opportunities to each of the parties so as to conclude their evidence in support of their respective claims/counter-claims.

[5]. In the wake of the fact that acquisition in the present case(s) commenced vide Notification dated 27.04.1978 issued under Section 4 of the Land Acquisition Act, 1894 and the appellants/landowners are still awaiting effective adjudication of their rights, the learned Reference Court is requested to expedite the proceedings and conclude the same preferably within six months from the date of appearance of the parties. Accordingly, all the appeals stand disposed of.

[6]. Pending application(s), if any, shall also stand disposed of.

November 12, 2025
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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No